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January 10, 2013

Via ECF

Hon. U.S. Magistrate Judge Roanne L. Martin
United States District Court
Eastern District of New York
225 Cadman Plaza
Brooklyn, NY 11201

RE: Kim Yancey v. Bai Sushi Restaurant, Inc. & Rainbrook Realty Inc.
Index Number 12-CV-04537 (SLT)

Dear Magistrate Judge Mann:

As I previously advised the Court, the attorneys for the Plaintiff and the Defendants in the within action have been discussing a possible settlement of this case. The Plaintiff proposed a settlement which we communicated to our clients but have not received a response from my clients.

I have been experiencing a substantial amount of discomfort by reason of having contracted the Flu last Thursday. I have not been able to be in contact with my clients by reason of this illness. As soon as I recover from the Flu, I intend to contact my clients with the intention of working out a settlement of this case.

*Defendants' "Motion to
Adjudice Conference" is respectfully yours,
denied as moot, inasmuch
as there is no pending hearing
conference.*

Sidney A. Weisberg (SW 7996)

SAW: atr *The parties have reportedly
been discussing settlement for more than
a month. By January 22, 2013, they are
directed to file a stipulation of discontinuance
or a joint proposed discovery schedule.* SO ORDERED:
*/s/
Roanne L. Mann
U.S. Magistrate Judge
Dated: 1/11/13*